

Art Unit: 2173

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with James DeCarlo on 9 July 2004. Cancellations of certain claims have been made without prejudice.

The application has been amended as follows:

Cancel claims 53-68, 77-86, and 113.

In claim 95, line 3: replace "having" with -- comprising: --.

In claim 95, line 10: insert -- and download of one or more files from -- between "enabled via connection to" and "said predetermined Internet site".

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In claim 95, line ¹¹~~10~~: replace "including a persistent user toolbar" with -- said one or more files causing a persistent user toolbar to be displayed --.

In claim 111, line 14: insert --a user toolbar comprising -- immediately before "a user interface object".

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In claim 111, line ²⁰~~19~~: replace "interface object" with -- toolbar --.

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In the specification, page ¹⁸~~25~~: line ²⁵~~5~~, replace "FIG. 8" with -- FIG. 8A --. ✓

In the specification, page ¹⁸~~25~~: line ²⁶~~6~~, replace "FIG. 8" with -- FIG. 8A --. ✓

In the specification, page ¹⁹~~25~~: line ⁴~~16~~, replace "FIG. 8A" with -- FIG. 8B --. ✓

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In the specification, page ¹⁹~~25~~: line ¹⁰~~22~~, replace "FIG. 8" with -- FIG. 8A --. ✓

In the specification, page ¹⁹~~26~~: line ²³~~10~~, replace "FIGS. 8, 8A" with -- FIGS. 8A, 8B --. ✓

In the specification, page ²⁰~~27~~: line ⁸~~4~~, replace "FIG. 8" with -- FIG. 8A --. ✓

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The following changes to the drawings have been approved by the examiner and agreed upon by applicant: Renumber Figure 8 to Figure 8A; and renumber Figure 8A to Figure 8B. In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance: In combination with the claimed subject matter, the prior art does not teach or fairly suggest a file that is downloadable from a predetermined Internet site, which causes a user toolbar to be added to and displayed entirely within the bounds of a browser's user interface, such that the user toolbar does not overlay the display area or anything that was displayed in the bounds of the user interface prior to downloading. The closest prior art is the Alexa toolbar, which is disclosed in U.S. Patent No. 6,282,548 (Burner et al) and the Alexa Internet Website reference. While the Alexa toolbar could potentially be considered a part of the browser interface because it is simultaneously displayed with and is functionally dependent upon the browser, there does not appear to be evidence teaching or suggesting that the toolbar could be physically integrated within the bounds of the browser's interface as claimed. While the Burner reference goes so far as to say that the